

all his choses in action and all his personal property with power to sell the same at public sale and if not thus advantageously sold, then at private sale and to collect so much of the indebtedness due the said George L. Rutzahn as can be collected and to apply the proceeds of such sales and collections first to the payment of all costs charges and expenses that may be incurred in the execution of the trusts created by said Deed of Trust including a Commission of Six per centum to your petitioners and the costs of said deed of trust then to the payment in such order and priority and out of such part of the trust funds as by law they may be entitled to be paid such of the creditors of the said George L. Rutzahn who had at the time of the execution of said deed of trust liens upon the property or any part thereof thereby conveyed then to the payment of all other debts due the creditors of said George L. Rutzahn *par passu* and without any preference or priority of payment then to pay the surplus if any to said George L. Rutzahn all of which will more fully appear from said deed of trust herewith filed marked Exhibit No 1 which with all other Exhibits herewith filed or to be filed your petitioners pray may be taken as part of their petition and report Your petitioners are advised that they may execute said trust and distribute the funds arising therefrom under the direction of a Court of Equity and they therefore report their proceedings under said deed of trust to your Honorable Court and pray your Honorable Court to ratify and confirm the same and direct them further in executing said trust. Your trustees report that after having given bond for the faithful performance of their duty they first advertised for sale the Real Estate conveyed to them by said deed of trust by advertisements in "The Valley Register" a newspaper published in Frederick County for more than three successive weeks prior to the day of sale and also by hand bills extensively circulated in said County and elsewhere and in pursuance of said advertisements they attended on the premises on Saturday the 7th day of March A. D. 1874 between the hours of One and three o'clock P. M. and then and there offered the same for sale. In the first place your Trustees offered at public sale the Home Farm containing a hundred and sixty acres of Land more or less being the same land described in a deed from George Rutzahn to said George L. Rutzahn by the name of George (Rutzahn) dated on the 17th day of June A. D. 1856 and recorded in Liber C. S. No 10 folios 2013511 one of the land records of Frederick County, a certified copy whereof is herewith filed marked Exhibit No 2 and sold the same to a certain Otho P. Smith he being the highest bidder therefor for the sum of sixty eight dollars per acre amounting to Ten thousand Eight hundred and Eighty dollars. They then offered at public sale a tract of Land adjoining the said Home Farm containing forty six and a half acres of land more or less for which said George L. Rutzahn has no deed but which he purchased from William Miller one of your trustees who has and claims a vendors lien upon the same for the purchase money still due and unpaid and sold the same to said Otho P. Smith he being the highest bidder therefor for the sum of fifty one dollars per acre amounting to Two thousand three hundred and seventy one dollars and fifty cents.

Your Trustees then offered for sale an undivided half interest in Fifty Acres of Land near said Home Farm for which said George L.